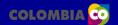


INTELLECTUAL PROPERTY





INTERNATIONAL REGULATIONS

Paris Convention for the Protection of Industrial Property **1883.**



Berne Convention for the Protection of Literary and Artistic Works **1886.**



Washington Convention 1929.



Inter-American
Convention on the Rights
of Authors in Literary,
Scientific, and Artistic
Works **1946**.



Geneva Convention 1952.



International Union for the Protection of New Varieties of Plants **1978.**



Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure 1977.



Universal Copyright Convention 1971.



Convention Establishing the World Intellectual Property Organization (WIPO) 1967.



Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations 1961.



Patent Cooperation Treaty (PCT) 1970.



Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks 1989.



Trademark Law Treaty and Regulations 1994.



Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) 1994.



Patent Law Treaty 2000.



(WIPO)

INSTITUCIONES INTERNACIONALES DPI

(UNESCO)



Its objective is to develop an international intellectual property (IP) system that is balanced, accessible, and rewards creativity, stimulates innovation, and contributes to economic development, while safeguarding the public interest.



Its main function is to ensure that commercial flows circulate with the greatest fluidity, predictability and possible freedom.



UNESCO is a organization specialized in the United Nations with the objective of contributing to peace and security in the world through education, science, culture, and communications.

It considers access to education, information, and freedom of expression as pillars of the knowledge society.



Organisation for

Economic Co-operation

and Development (OECD)

Promote policies that foster prosperity, equality, opportunities, and well-being for all people.



REGIONAL DPI INSTITUTIONS











Court Union Justice European (CJEU)



Decision 486. Regime common on Property Industrial – Commission the Andean Community.

Jurisdictional Body of the CAN. Supranational that safeguards the Cartagena Agreement, ensure the uniform application and interpretation of Andean law. Arbitration function.

Interprets legislation the EU to ensure yhat apply in the same way in all member countries, and resolves disputes between national governments and European institutions.



Copyright

Morales

Literary works

Patrimonial

Artistic works

INTELLECTUAL PROPERTY

Related rights

Rights of artists,
performers,
producers
of phonograms
and broadcasting
organizations.

Scientific works



COPYRIGHT

■ In legal terminology, the term "copyright" is used to describe the rights of creators over their literary and artistic works. Works that lend themselves to copyright protection range from books, music, paintings, sculpture and films to computer programs, databases, advertisements, maps and technical drawings (Ompi, s.f).







IPR BRANCHES - COPYRIGHT



Berne Convention

 Art. 2. "The terms "literary works and artistic include all productions in the literary field scientific and artistic, whatever the mode or form of expression".



WIPO Treaty on Rights of Autor

 Art 2. "The protection of Copyright will cover the expressions but not the ideas, procedures, methods of operation or concepts mathematicians themselves".



Decision 351 of 1993

 Art. 7 "protected Is left over exclusively the form through what the ideas of author are described, explained, illustrated or incorporated into the plays. (...)"



ADPIC

 Art. 09 "(...) The protection of Copyright will cover the expressions but not the ideas, procedures, methods of operation or concepts mathematicians themselves"

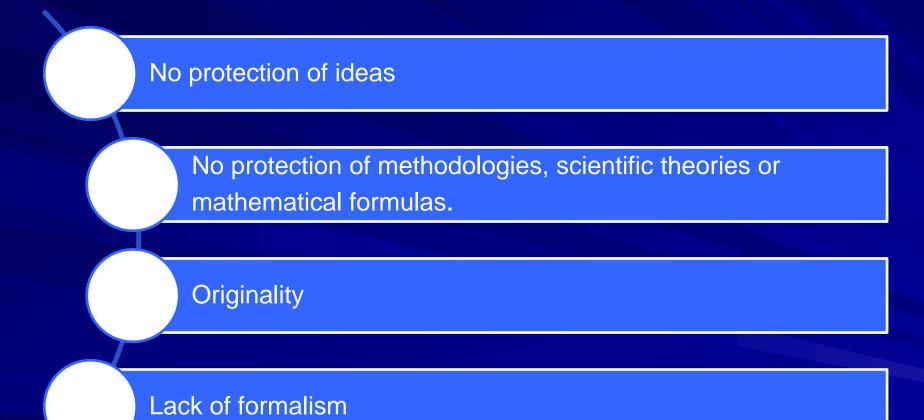


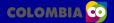
Law 23 of 1982

 Art.2 "copyright fall on the Works scientific, literary and artistic which They include all the creations of the spirit in the scientific, literary and artistic, whatever the mode or form of expression and whatever your destination".



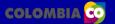
IPR PRINCIPLES - COPYRIGHT





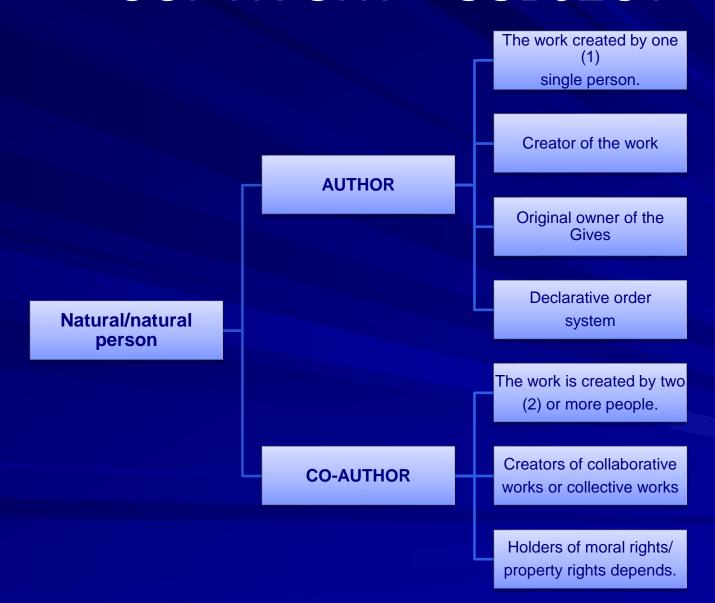


Personalistic Rights Right to paternity over the work **MORALES** Right to integrity of the work COPYRIGHT Right of unpublishability Right of reproduction Right of public communication **PATRIMONIAL** Right of adaptation Right of distribution





COPYRIGHT - SUBJECT





COPYRIGHT - OWNERSHIP





TYPE OF WORK

Original work

They are those whose creation is not based on a previous or original work, that is, it does not depend on another work.

Conceive an idea It expresses, materializes, or concretizes it in a literary, artistic or scientific work.

Derivative work

It is the result of the authorization granted by the author to transform or modify his work.

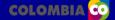
Translations

Compilations

Adaptations

Parodies

They are permitted by the author himself or by the owners of the economic rights





PROPERTY INTELLECTUAL

RIGHTS OF AUTHOR

PROPERTY INDUSTRIAL

Rights Declaratives

Constitutive rights (there are exceptions).





PROTECTION PERIODS



Conventior

- •Life of the author + 50 years after their death.
- Anonymous or pseudonymous works, 50 years after they have been lawfully made available to the public.
- Photographic works and applied art: 25 years from their creation.



• Life of the author + 50 after their years death.

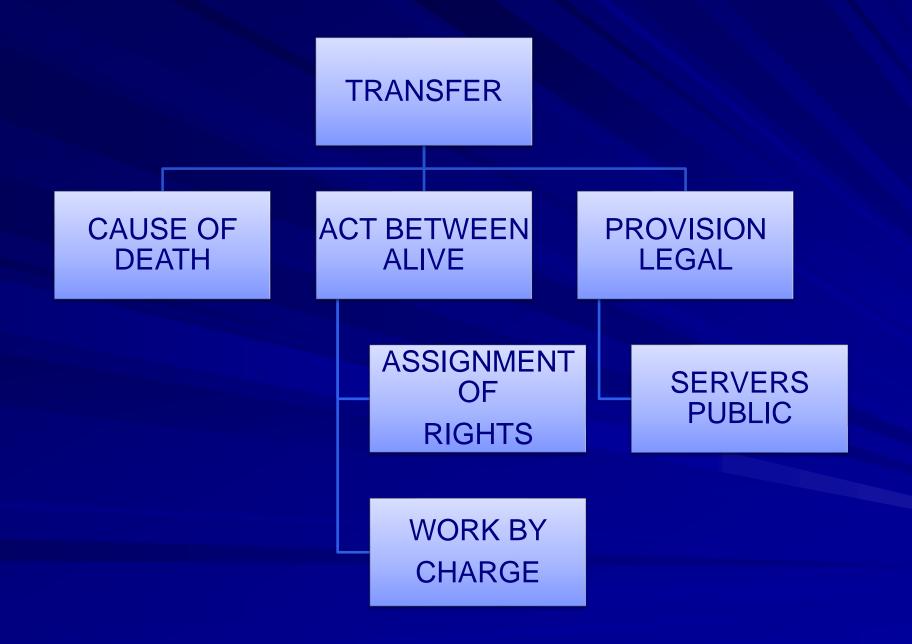
 Legal entity: 50 years from the creation, publication, or disclosure, as applicable.



• Life of the author + 80 years after their death. If there are no heirs or

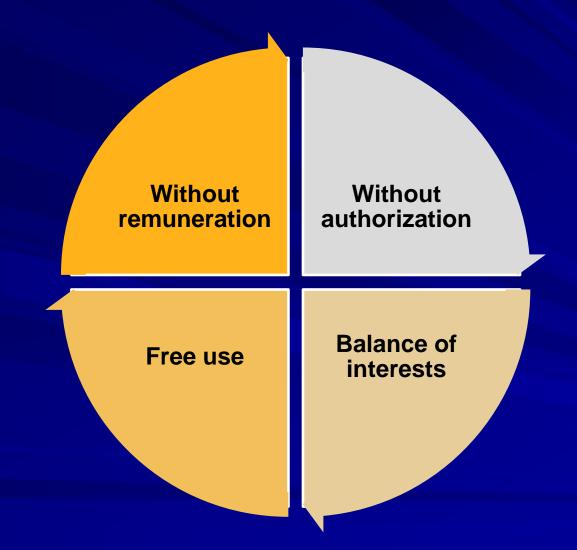
- successors, it will enter the public domain upon death.
- Acquirers: life of the author + 25 years after their death. without prejudice to any stipulation; for heirs, the remainder of the 80 years.
- Legal entity or official entity: 30 years.
- Anonymous work: 80 from vears its publication.







COPYRIGHT FLEXIBILITIES





COPYRIGHT FLEXIBILITIES – THREE STEP RULE

Not cause serious and unjustified damage to the legitimate interests of the author.



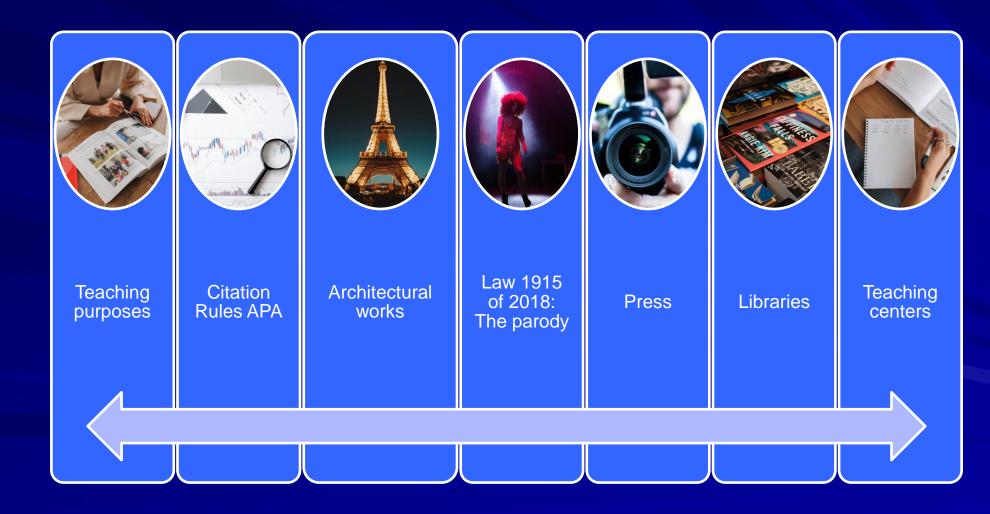
Not affect the normal exploitation or commercialization of the work



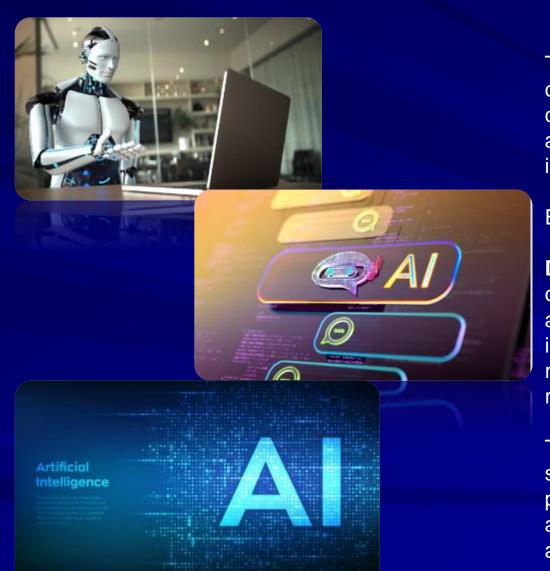
Special case(Exceptions/limitations)



COPYRIGHT – LIMITATIONS AND EXCEPTIONS



ARTIFICIAL INTELLIGENCE (AI)



The interaction between AI and intellectual property is constantly evolving, and we are likely to see significant changes in legislation and legal practices as AI continues to advance and play a more prominent role in creation and invention.

Examples and Cases:

DeepArt and DABUS: Cases such as DeepArt, where an Al creates art, or DABUS, an Al system that has been presented as an inventor in patent applications in several countries, illustrate these challenges. In some cases, patent offices have rejected these applications because the Al cannot be recognized as the inventor.

The use of Al raises important ethical and legal questions, such as liability in the event of infringement of intellectual property rights by an Al and the need to update laws to address these new challenges. Different jurisdictions are addressing these issues in varying ways, and we are likely to see changes to the legislation in the coming years.



THANK YOU.

